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Security Council

Seventieth year

Provisional

7413th meeting

Tuesday, 24 March 2015, 4.05 p.m.

New York

President	Mr. Delattre	(France)
Members	Angola	Mr. Lucas
	Chad	Mr. Gombo
	Chile	Mr. Barros Melet
	China	Mr. Zhao Yong
	Jordan	Mr. Al-Mouhtaseb
	Lithuania	Mr. Baublys
	Malaysia	Mrs. Adnin
	New Zealand	Mrs. Schwalger
	Nigeria	Mr. Laro
	Russian Federation	Mr. Agasandyan
	Spain	Mr. Oyarzun Marchesi
	United Kingdom of Great Britain and Northern Ireland	Mr. Wilson
	United States of America	Mr. Pressman
	Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

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The meeting was called to order at 4.05 p.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of South Sudan to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

After consultations among Council members, I have been authorized to make the following statement on their behalf:

"The Security Council underscores the seriousness and urgency of the situation in South Sudan, as demonstrated by its 3 March 2015 unanimous adoption of resolution 2206 (2015) establishing a United Nations sanctions regime for those undermining the peace, security or stability of South Sudan, with initial dates for the Council's review of 5 March 2015 and 1 April 2015, and demanding that the parties commit to finding a comprehensive agreement and calling upon all parties to armed conflict in South Sudan to issue clear orders prohibiting all violations of international humanitarian law and human rights violations and abuses without further delay.

"In that regard, the Security Council expresses its profound disappointment that President Salva Kiir, former Vice-President Riek Machar and all parties have failed to conclude an agreement on the transitional arrangements outlined in the 1 February 2014 Areas of Agreement on the Establishment of the Transitional Government of National Unity in the Republic of South Sudan signed by the Republic of South Sudan and the Sudan People's Liberation Movement/Army in Opposition by the 5 March 2015 deadline set by the Intergovernmental Authority on Development (IGAD). In this context, the Security Council reiterates its willingness to impose sanctions against those who threaten the peace, security or stability of South Sudan.

"The Security Council reiterates its strong condemnation of the repeated violations of the Cessation of Hostilities Agreement accepted and signed by the Republic of South Sudan and the Sudan People's Liberation Movement/Army in Opposition on 23 January 2014, and emphasizes that the actions of President Salva Kiir and former Vice-President Riek Machar in continuing to pursue a military solution to this conflict are in breach of their obligations under that Agreement.

"The Security Council commends IGAD, as supported by the United Nations and African Union, for its relentless work in establishing a forum for political and security dialogue, establishing and operationalizing the Monitoring and Verification Mechanism for the Cessation of Hostilities Agreement and leading multi-stakeholder political negotiations to establish a Transitional Government of National Unity.

"The Security Council takes note of the 6 March 2015 message from Ethiopia's Prime Minister and Chairman of IGAD Hailemariam Dessalegn to the people of South Sudan explaining why the peace talks did not produce the necessary breakthrough.

"The Security Council welcomes IGAD's intention, joined by the friends of South Sudan from Africa and abroad, including the United Nations, to implement a common plan and to table a reasonable and comprehensive solution to end the crisis in South Sudan and urges all parties to engage meaningfully in the peace process so to bring about a political resolution of the crisis and an end to the violence.

"The Security Council reiterates its intent to impose any sanctions that may be appropriate to respond to the situation, which may include an arms embargo and the designation of senior individuals responsible for actions or policies that threaten the peace, security or stability of South Sudan, so as to encourage the Government of South Sudan and opposition forces to form a Transitional Government of National Unity, take effective and comprehensive steps to cause forces under direct or indirect control to cease military operations, acts of violence, as well as violations of human rights, and enable full access for humanitarian assistance.

"The Security Council renews its deep appreciation for the courageous actions taken and ongoing by the United Nations Mission in the Republic of South Sudan (UNMISS) personnel

and troop- and police-contributing countries for the protection of civilians and the stabilization of the security situation, and reiterates its support to UNMISS.

"The Security Council reaffirms its deep concern that the conflict has resulted in great human suffering, including significant loss of life, displacement of 2 million people, and the loss of property, further impoverishing and disadvantaging the people of South Sudan.

"The Security Council further underscores the significant importance of fighting impunity and ensuring accountability for serious violations and abuses of human rights and violations of international humanitarian law in South Sudan, including those that may amount to war crimes and crimes against humanity.

"The Security Council renews its calls for parties to the conflict to allow and facilitate, in accordance with relevant provisions of international law and United Nations guiding principles of humanitarian assistance, the full, safe and unhindered access of humanitarian personnel, equipment and supplies to all those in need and timely delivery of humanitarian assistance.

"The Security Council recognizes the work of the African Union Commission of Inquiry for South Sudan in investigating and documenting violations as well as abuses of international human rights law and international humanitarian law, anticipates with interest its findings and recommendations, encourages the public release of the final report as soon as possible, and welcomes the further engagement of the African Union to ensure justice and accountability, as well as healing and reconciliation.

"The Security Council looks forward to the rapid establishment of the Panel of Experts that will play a central role in assisting the South Sudan Sanctions Committee established under resolution 2206 (2015), including by providing it with information relevant to the potential designation of individuals and entities who may be engaging in the activities described in paragraphs 6 and 7 of resolution 2206 (2015).

"The Security Council reaffirms that it shall be prepared to adjust the measures contained in resolution 2206 (2015), including by strengthening through additional measures, as well as modification, suspension or lifting of the measures, as may be needed at any time in light of the progress achieved in the peace, accountability and reconciliation process, and in light of the implementation of the parties' commitments, including the Cessation of Hostilities Agreement and other obligations specified in the preamble of the resolution, and compliance with it.

"The Security Council further reaffirms its support for the people of South Sudan, renews its steadfast commitment to the peace and security of South Sudan and the region, including through its full implementation of resolution 2206 (2015), and echoes the IGAD Chairman's 6 March 2015 statement that the world stands with the people and peace will be achieved."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2015/9.

I now give the floor to the representative of South Sudan.

Mr. Deng (South Sudan): I am pleased and honoured to address the Council under your stewardship, Sir, concerning the presidential statement on South Sudan that has just been adopted (S/PRST/2015/9).

We have spoken on this issue on so many occasions that there is no longer much to be said. We have always maintained that we appreciate that the measures taken by the Council emanate from the deep concern about the conditions of our country and people, in particular under the current crisis. However, at the outset let me express my delegation's disappointment that the Council continues to deliberate on important issues of peace and security in South Sudan without extensive consultations with the African region. This is not in line with the spirit of the cooperation framework between the African Union Peace and Security Council and the United Nations Security Council. Equally, although my delegation is courteously consulted sometimes on the draft Security Council resolutions or statements pertaining to South Sudan, our views are hardly ever reflected in the Council's final documents.

The Government of the Republic of South Sudan is committed to the peaceful solution of the conflict in our country. President Salva Kiir has emphatically made the point on numerous occasions, including in his

statement to the nation Wednesday, 18 March. In this respect, we commend the Intergovernmental Authority on Development (IGAD) for its relentless efforts in seeking peaceful settlement of crisis in South Sudan.

Indeed, my Government has been engaged in the peace talks in good faith and has accepted various proposals made by the mediators in all rounds of the talks, including the establishment of a transitional government of national unity. Due to his desire for inclusivity in IGAD peace talks, the President of the Republic allowed for the participation of a wide range of stakeholders, including faith-based groups, civil society organizations, youth, women and political parties, so as to ensure ownership and inclusivity of the peace process.

The Sudan People's Liberation Movement in Opposition (SPLM-IO) under the leadership of Mr. Riek Machar, continues to shift positions and put unreasonable demands on the table, which has made it extremely difficult to reach consensus on contentious national issues. In the last round of peace talks, the rebels demanded two armies during the 30-month interim period followed by the amalgamation of forces, rather than their integration, as should be the case. They also demanded the position of First Vice-President and a 50/50 share in the formation of the Government. It is incomprehensible that a country can have two separate armies under two different commands. The Government proposed the integration of rebel forces into the national army — a practice that has been successfully tested in countries emerging from civil wars across the globe, in particular in Africa.

The SPLM-IO also demanded that the Government pay the debt incurred by the Opposition during its rebellion, introducing a new formula for wealth-sharing. Effectively, in other words, paying them for the weapons and ammunition that they used to kill innocent civilians in South Sudan. Again, the Government did not see any justification for these demands, except that they were meant to create obstacles to reaching an agreement within the time frame concluding 5 March, given by IGAD. Therefore, the moral equivalency implied in today's presidential statement — which expresses disappointment that both President Salva Kiir and Riek Machar have failed to conclude an agreement on the transitional arrangements, as was outlined in the 1 February 2015 statement — is not correct.

President Salva Kiir, in his recent public address to the nation, extended an olive branch of peace to the SPLM-IO and former detainees. The President called upon the SPLM-IO to accept the general amnesty the President offered and return to their units with their previous Sudan People's Liberation Army (SPLA) ranks and ordered the Chief of General Staff to send directives to all SPLA units to receive the rebels and to provide them with necessary assistance. Furthermore, the President called upon the former detainees to come home and contribute to implementing the SPLM reunification agreement, which was signed on 21 January 2015 in Arusha, Tanzania.

As I have stated before the Council on other occasions, I strongly believe that sanctions rarely achieve their desired objectives but only encourage the hardening of positions towards confrontations. The international community can use more constructive and productive means of engaging the parties than sanctions. The Government is understandably disappointed by the plan to impose sanctions, rather than adopt measures that would encourage the parties to cooperate with the international community for peace. Sanctions at this critical juncture in the history of South Sudan will only devastate the economy and increase economic pressures on people who are already suffering and who are desperate.

Despite our differences, we are sincerely appreciative of the opportunity granted us by the Council to share our views and we remain hopeful that, from this exchange of views, common ground can emerge, divisive measure be avoided, and productive actions agreed upon.

The meeting rose at 4.20 p.m.